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 9 ADELPHIA COMMUNICATIONS
 10 CORPORATION, aka Century Mendocino Cable
 11 TV dba Adelphia Cable Communications

FILED

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RICHARD CHERYL W. WIEKING
 NORTHERN DISTRICT OF CALIFORNIA

E-filing

JCS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

10 SIFA TUIAKI and LUPE TUIAKI,

11 Plaintiffs, .

12 v.

13 PACIFIC GAS & ELECTRIC COMPANY;
 14 PAULEY CONSTRUCTION, INC.;
 15 TRAFFIC SOLUTIONS, INC.; ADELPHIA
 16 TELECOMMUNICATIONS CO., INC.;
 17 SBC TELECOMMUNICATIONS, INC.;
 18 MOBILE TOOL INTERNATIONAL, INC.,
 19 dba TELSTA; COUNTY OF
 20 MENDOCINO; STATE OF CALIFORNIA;
 21 PACIFIC BELL TELEPHONE COMPANY;
 22 PACIFIC TELESIS GROUP; SBC
 23 OPERATIONS, INC.; and DOES 1 to 100,

24 Defendants.

25 ADELPHIA COMMUNICATIONS
 26 CORPORATION, aka CENTURY
 27 MENDOCINO CABLE TV dba ADELPHIA
 28 CABLE COMMUNICATIONS,

Cross-Complainant,

v.

PAULEY CONSTRUCTION, INC., and
 ROES 1 to 50, INCLUSIVE,

Cross-Defendants.

C 07 Case No.

2257

DECLARATION OF MICHAEL J.
 DALEY IN SUPPORT OF NOTICE OF
 REMOVAL OF ACTION PURSUANT
 TO 28 U.S.C. § 1452 AND 28 U.S.C. § 1334

1 I, MICHAEL J. DALEY,

2 1. I am an attorney of law duly admitted to practice before all of the courts of the State of
 3 California and the United States District Court, Northern District of California, and am a shareholder
 4 in the law firm of RYAN & LIFTER, attorneys of record for Defendant/cross-complainant
 5 ADELPHIA COMMUNICATIONS CORPORATION, aka Century Mendocino Cable TV dba
 6 Adelphia Cable Communications (hereinafter "ADELPHIA") in this action. I make this declaration in
 7 support of Defendant/Cross-Complainant ADELPHIA's Notice of Removal in the above entitled
 8 action.

9 2. A true and correct copy of the June 23, 2004 action filed in the Superior Court of the
 10 State of California in and for the County of San Francisco entitled *Sifi Tuiaki, et al. v. Adelphia*
 11 *Communications Corporation and Century, et al.*, Case Number CGC 04-432476 is attached hereto as
 12 Exhibit "A."

13 3. A true and correct copy of PAULEY CONSTRUCTION CORPORATION's
 14 (hereinafter "PAULEY") Notice of Hearing, Demurrer to ADELPHIA's First Amended Cross-
 15 Complaint, Memorandum in Support, and Request for Judicial Notice is attached hereto as Exhibit
 16 "B."

17 4. A true and correct copy of defendant/cross-complainant ADELPHIA's Second
 18 Amended Cross-Complaint is attached hereto as Exhibit "C."

19 5. A true and correct copy of defendant/cross-defendant PAULEY's Notice of Hearing,
 20 Demurrer to ADELPHIA's Second Amended Cross-Complaint, Memorandum in Support, and
 21 (Proposed) Order is attached hereto as Exhibit "D."

22 6. A true and correct copy of defendant/cross-defendant PAULEY's Request for Judicial
 23 Notice in support of its demurrer to ADELPHIA's Second Amended Cross-Complaint is attached
 24 hereto as Exhibit "E."

25 I declare under penalty of perjury under the laws of the State of California that the foregoing is
 26 true and correct. Executed this 25th day of April, 2007, in San Ramon, California.

27
 28 
 MICHAEL J. DALEY